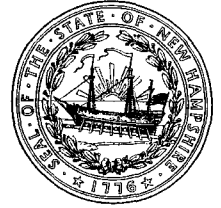




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

August 3, 2005

Elwin Wright
President
Brown Street Furniture
P.O. Box 278
Whitefield, New Hampshire 03589

**CERTIFIED MAIL (7099 3400 0018 1290 1837)
RETURN RECEIPT REQUESTED**

NOTICE OF PAST VIOLATION

Dear Mr. Wright:

The New Hampshire Department of Environmental Services, Air Resources Division ("DES") is sending this Notice of Past Violation ("NOPV") to Brown Street Furniture ("BSF") to address issues of non-compliance with the N.H. Administrative Rules Env-A 100 *et seq.*, and violations of Title V Operating Permit No. TV-OP-023 ("the Permit"). The Permit was issued to BSF on February 24, 2000.

BSF is required by Section XXI. of the Permit and by 40 CFR 70.6(c) to submit an annual compliance certification to DES no later than April 15 for the period covering the preceding calendar year. DES did not receive the annual compliance certification for calendar year 2004 by April 15, 2005. BSF did submit its annual compliance certification for calendar year 2004 to DES on May 11, 2005. In addition, BSF failed to submit a timely renewal application for its Title V permit. Env-A 609.07(b) states that a renewal application is timely if it is received by DES at least 6 months prior to the expiration date of the current Title V operating permit. Accordingly, in order for the application to be considered timely, BSF should have filed its renewal application, or formally notified DES of its intention to obtain a synthetic minor permit no later than August 28, 2005. DES did not receive BSF's application until December 30, 2004. DES issued Temporary Permit No. FP-T-0124 to BSF on March 8, 2005, and State Permit No. FP-S-0259 on June 2, 2005.

BSF's submittal of the annual compliance certification on May 11, 2005 corrects the violation for the late filing of the annual compliance certification and therefore, no further action in response to that violation is required.

DES is still in the process of determining the appropriate enforcement response for the late filing of the Title V renewal application, or in the alternative, the late filing of the synthetic minor application. DES requests that BSF comply with all future reporting obligations contained in Permit No. FP-T-0124, and No. FP-S-0259.

If BSF believes that DES has cited these violations in error, or if BSF has any questions regarding this matter, please contact Raymond Walters at the Air Resources Division, Compliance Bureau at (603) 271-6288. A current copy of the Air Resource Division rules can be obtained from the DES website at <http://www.des.state.nh.us/Rules/air.htm>, or by contacting the Public Information Center at (603) 271-2975.

Sincerely,

A handwritten signature in black ink is written over the word "COPY". The signature appears to be "P. Monroe" with a long horizontal flourish extending to the right.

Pamela G. Monroe
Compliance Bureau Administrator
Air Resources Division

PGM/ems

cc: G. Hamel, NHDES Legal Unit
R. Kurowski, EPA Region 1
AFS#3300700003